IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.79573-M of 2006
Date of Decision:- 18.1.2007

Zora Singh ....Petitioner(s)

through
Mr.B.S.Saroha, Advocate

vs.

The State of Haryana ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is undergoing 10 years' rigorous imprisonment under the N.D.P.S.Act, 1985, is aggrieved at the order dated 18.10.2006 (Annexure R-1) passed by the Director General of Prisons, Haryana, declining him parole for house repairs.

The aforementioned order has been passed on the recommendations of the District Magistrate, Sonepat, who is stated to have reported that the petitioner's house is *Pucca* and does not require repairs.

On the other hand, the petitioner relies upon a report dated 4.12.2006 purported to have been issued by the Sarpanch of the Gram Panchayat wherein it is stated that his house is in a dilapidated condition and requires urgent repairs.

Normally, it is for the owner of the house to decide as to what kind of repairs/rennovations are needed by him in his house. In the case of the petitioner also, it does not appear to be the respondents' plea that the ground of house repairs is a mere pretext to secure temporary release.

Consequently and for the reasons above-stated, this petition is

allowed; the impugned order dated 18.10.2006 (Annexure R-1) is quashed and the Director General of Prisons, Haryana is directed to reconsider the petitioner's claim for parole for house repairs in the light of the observations made hereinabove, within a period of two months from the date of receipt of certified copy of this order.

January 18, 2007 **(SURYA KANT)**
poonam **JUDGE**